



CRAIG WENNER
Tel.: (212) 909-7625
E-mail: cwenner@bsfllp.com

July 12, 2022

BY ECF

The Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 750
New York, New York 10007

**Re: *City of Almaty, Kazakhstan, et ano. v. Felix Sater, et al.,*
 Case No. 19 Civ. 2645 (JGK) (KHP)**

Dear Judge Parker:

We represent the City of Almaty, Kazakhstan and BTA Bank (the “Kazakh Entities”). From time to time, the Court has inquired about the status of the AAA arbitration filed by defendant Felix Sater’s entity Litco LLC against the Kazakh Entities, the Republic of Kazakhstan, and Arcanum (Asia) Ltd. We write to advise the Court that by order dated July 9, 2022, the arbitral panel terminated the arbitration after Litco failed to pay its share of the arbitration fees, despite repeated warnings. As the Court may recall, the tribunal suspended the proceedings in February due to Litco’s non-payment, and this week it terminated the proceedings. Prior to the suspension of the arbitration in February, Litco had not taken any discovery or otherwise taken active steps to prosecute its case.

As a result of the termination, to the extent there was ever a question of what issues were properly before this Court as opposed to the tribunal, or a risk of inconsistent verdicts – issues that Sater raised and that Your Honor and Judge Nathan rejected in connection with his motion to stay [*see generally* ECF Nos. 70, 122, 144, 147, 323] – those issues are now moot. A copy of the tribunal’s order is attached. We are of course available to answer any other questions that the Court may have.

Thank you for your consideration.

Respectfully,

/s/ Craig Wenner
Craig Wenner